

COUNCIL DISTRICT 3

AN ORDINANCE BY  
CITY UTILITIES COMMITTEE

07-0-1821

**AN ORDINANCE TO ABANDON A PORTION OF TAZOR STREET, NW LOCATED BETWEEN NEAL STREET AND NORTH AVENUE, CONSISTING OF 0.6754 ACRES, MORE OR LESS, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" LYING AND BEING IN LAND LOT 114 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has received a formal request from the agent for the abutting property owners, to abandon the above referenced portion of Tazor Street [described in Exhibit "A" hereof and hereafter referred to as "Tazor Street];

**WHEREAS**, the abandoned portion of Tazor Street will become part of the abutting owner's private property, and it will be such owner's responsibility to maintain, operate, and provide all services and utilities.

**THE CITY COUNCIL OF THE CITY OF ATLANTA HEREBY ORDAINS** as follows:

**Section 1.** That the portion of Tazor Street, NW located between Neal Street and North Avenue, being more specifically described in the attached Exhibit "A" lying and being in Land Lot 114 of the 14th District, Fulton County, Georgia, same is hereby declared no longer useful or necessary for the public's use and convenience.

**Section 2.** That the City hereby expresses its intent to abandon Tazor Street (as hereinabove defined).

**Section 3.** That the abutting property owner's have agreed to pay the fair market value of the abandoned street as determined by the appraisal for the abandoned portion of Tazor Street.

**Section 4.** That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time said easements shall expire.

**Section 5.** That the Chief Procurement is hereby directed to have prepared an appraisal to determine its fair market value of the right-of-way to be abandoned and perform all other responsibilities concerning this proposed abandonment, as outlined in the City's Code of Ordinances, including Section 2-1578.

**Section 6.** That all costs associated with the advertising and appraisal report shall be charged to and paid from Account Number 3P02 524001 M22F03349999.

**Section 7.** That upon approval of this ordinance, and upon acceptance of the necessary documents by the Department of Public Works, and upon receipt of payment from the Applicant in the amount of the appraised fair market value of the property, or the satisfaction of any alternative conditions under Section 2-1578 of the City's Code of Ordinances, the City Attorney is hereby directed to prepare a Quitclaim Deed or Limited Warranty Deed and other appropriate documents to effectuate the abandonment authorized by this ordinance.

**Section 8.** That the Mayor be and is hereby authorized to execute a quitclaim deed to conveying any interest that the city may have in the above-described portion of said street [herein described in Exhibit "A"].

**Section 9.** That the date of execution of this ordinance by the Mayor shall be the effective date of abandonment.

**Section 10.** That all ordinances and parts of ordinances in conflict herewith are hereby waived in this instance only.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** City Utilities Committee

**Caption:** AN ORDINANCE TO ABANDON A PORTION OF TAZOR STREET, NW LOCATED BETWEEN NEAL STREET AND NORTH AVENUE, CONSISTING OF 0.6754 ACRES, MORE OR LESS, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" LYING AND BEING IN LAND LOT 114 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

**Council Meeting Date:** October 1, 2007

**Requesting Dept.:** Public Works

**B. To be completed by the department :**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

***Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.***

The purpose of this legislation is to abandon City of Atlanta Right-of-Way for a private developer.

**2. Please provide background information regarding this legislation.**

***Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.***

**3. If Applicable/Known:**

**(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) Source Selection:

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center:

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

*Example: This legislation will result in a reduction in the amount of \_\_\_\_\_ to Fund Account Center Number \_\_\_\_\_.*

7. Method of Cost Recovery:

*Examples:*

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: WAHAB ALABI

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Soraya Belgrave

Contact Number: ext. 6002

Originating Department: Public Works

Committee(s) of Purview: City Utilities Committee

Chief of Staff Deadline: August 24, 2007

Anticipated Committee Meeting Date(s): September 12 & 26, 2007

Anticipated Full Council Date: October 1, 2007

Legislative Counsel's Signature: Terry Grandison

Commissioner Signature: \_\_\_\_\_

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

AN ORDINANCE TO ABANDON A PORTION OF TAZOR STREET, NW LOCATED BETWEEN NEAL STREET AND NORTH AVENUE, CONSISTING OF 0.6754 ACRES, MORE OR LESS, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" LYING AND BEING IN LAND LOT 114 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ (date) Received by LC from CPO: \_\_\_\_\_ (date)

Received by Mayor's Office: 8.30.07 (date) Reviewed by: 8/31/07 (date)

Submitted to Council: \_\_\_\_\_ (date)

RCS# 1435  
9/17/07  
1:51 PM

Atlanta City Council

SPECIAL SESSION

CONSENT II

REFER

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 4

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
NV Young	B Shook	B Maddox	Y Willis
Y Winslow	Y Muller	B Sheperd	NV Borders

CONSENT II